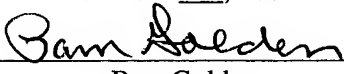




Patent Docket P1746R1

1636
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Vanessa Chisholm et al. Serial No.: 10/019586 Filed: December 20, 2001 For: EXPRESSION VECTORS AND METHODS	Group Art Unit: 1636 Examiner: Ramin Akhavan Confirmation No: 1705 CUSTOMER NO: 09157 CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October <u>18</u> , 2004  Pam Golden
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

As a preliminary matter, Applicants note that the International Search Report for related application PCT/US00/18841 is enclosed herewith, including copies of the references cited therein.

This Information Disclosure Statement is filed in accordance with the provisions of:

☐ **37 CFR §1.97(b)**

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); or
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491, or
- before the mailing of the first Office action on the merits; or
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.

☒ **37 CFR §1.97(c)**

- by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311,

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or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) or a statement as specified in 37 CFR §1.97(e), as checked below.

☐ **37 CFR §1.97(d)**

- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) and a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.]

- ☐ **37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ **37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.

- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) and/or publication(s) is set forth on the attached revised Form PTO-1449 (Modified).

A copy of the items on PTO-1449 is supplied herewith.

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☐ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s) [Required]
- ☒ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be

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construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 for this Information Disclosure Statement, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

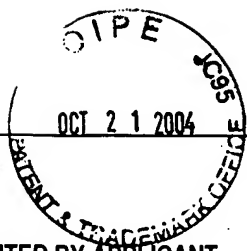
Date: October 18, 2004

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FORM PTO-1449

U.S. Dept. of Commerce
Patent and Trademark Office

Atty Docket No.

P1746R1

Serial No.

10/019,586

LIST OF DISCLOSURES CITED BY APPLICANT

(Use several sheets if necessary)

Applicant

Vanessa Chisholm et al.

Filing Date

20 Dec 2001

Group

1636

U.S. PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	49	6,114,146		Herlitschka, et al.			14.11.95
	50	6,632,637	14.10.03	McGrew			12.10.00

FOREIGN PATENT DOCUMENTS

Examiner Initials		Document Number	Date	Country	Class	Subclass	Translation Yes	No
	51	0 711 835 A	15.05.96	EP				
	52	WO 2004/046340	03.06.04	PCT				
	53	WO 96 04391 A	15.02.96	PCT				
	54	01/04306		WO				

OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)

	55	Bennett et al., "Fusion of green fluorescent protein with the zeocin-resistance marker allows visual screening and drug selection of transfected eukaryotic cells" <u>Biotechniques</u> 24(3):478-482 (Mar 1998)
	56	Ferrari, et al., "Chinese Hamster Ovary Cells with Constitutively Expressed Sialidase Antisense RNA produce Recombinant DNase in Batch Culture with Increased Sialic Acid" <u>Biotechnology and Bioengineering</u> , John Wiley & Sons, Inc. Vol. 60(5):589-595 (Dec 5, 1998)
	57	Lucas et al., "High-Level Production of Recombinant Proteins in CHO Cells Using a Dicistronic DHFR Intron Expression Vector." <u>Nucleic Acids Research</u> 24(9):1774-1779 (1996)
	58	Meng et al., "Green fluorescent protein as a second selectable marker for selection of high producing clones from transfected CHO cells" <u>Gene</u> 242:201-207 (2000)
	59	Mosser et al., "Use of a dicistronic expression cassette encoding the green fluorescent protein for the screening and selection of cells expressing inducible gene products" <u>Biotechniques</u> 22:150-161 (1997)
	60	Petitclerc, et al., "The Effects of Various Introns and Transcription terminators on the efficiency of expression Vectors in Various Cultured Cell Lines and in the Mammary Gland of Transgenic Mice" <u>Journal of Biotechnology</u> , Elsevier Science B.V. Vol. 40:169-178 (1995)
	61	Primig et al., "A novel GFPneo vector designed for the isolation and analysis of enhancer elements in transfected mammalian cells" <u>Gene (Amsterdam)</u> 215:181-189 (Jul 17, 1998)
	62	Weikert, et al., "Engineering Chinese Hamster Ovary Cells to Maximize Sialic Acid Content of Recombinant Glycoproteins" <u>Nature America Inc.</u> 17:1116-1121 (Nov 1999)

Examiner

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.